

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MARY HELEN STANFORD

PLAINTIFF

VERSUS

CAUSE NO. 2:09CV76-WAP-DAS

MICHAEL J. ASTRUE

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

Upon consideration of the file and records in this case, the court finds that the Report and Recommendation of the United States Magistrate Judge dated October 26, 2009, was on that date duly filed and the parties notified; that more than ten days have elapsed since notice of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated October 26, 2009, be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and are hereby, adopted as the findings of fact and conclusions of law of the court.

2. That the plaintiff's motion to dismiss is hereby **GRANTED**, and the complaint is **DISMISSED WITHOUT PREJUDICE**.

THIS, the 16th day of November, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE